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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SCHAUM & WIENER PROFIT SHARING PLAN
& TRUST FBO MARTIN SCHAUM, MARTIN
SCHAUM individually and in his capacity as
Trustee of the SCHAUM & WIENER PROFIT
SHARING PLAN & TRUST, and IRIS SCHAUM,

Defendants.

Adv. Pro. No. 10-04329 (SMB)

**STIPULATION FOR
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and defendants Schaum & Wiener Profit Sharing Plan & Trust FBO Martin Schaum, Martin Schaum individually and in his capacity as Trustee of the Schaum & Wiener Profit Sharing Plan & Trust, and Iris Schaum (“Defendants”), by and through their counsel, Fox Rothschild LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. The Trustee served the Complaint, dated November 12, 2010, against Defendants on February 1, 2011.
2. On June 1, 2011, Defendants served an Answer on the Trustee.
3. On October 20, 2014, the Parties entered into a Settlement Agreement pursuant to the Settlement Order, entered by this Court on November 12, 2010 (Dkt. No. 3181).
4. In accordance with Federal Rule of Bankruptcy Procedure 7041 and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photocopy or electronic copy of this Stipulation shall

be deemed an original.

Dated: November 3, 2014

BAKER & HOSTETLER LLP

By: /s/ Jimmy Fokas

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*of the Schaum & Wiener Profit Sharing Plan &
Trust, and Iris Schaum*